

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450



Docket No.: **478.1078**  
Date: **August 31, 2006**

In re application of: Matthew Neil SARKAR, et al.  
Serial No.: 10/571,512  
Filed: March 10, 2006  
For: **BREATH ACTUATED VALVE**

Sir:

Transmitted herewith is an **Information Disclosure Statement (2 pages)** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

FOR:	(Col. 1)	(Col. 2)	SMALL ENTITY		OR	LARGE ENTITY	
	REMAINING	HIGHEST	RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY					
	AMENDMENT	PAID FOR					
TOTAL CLAIMS	* Minus**	=	x0\$	\$		x \$	\$
INDEP. CLAIMS	* Minus***	=	x0\$	\$		x \$	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				\$		+ \$	\$

TOTAL: \$ OR TOTAL: \$

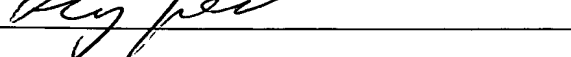
- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:  
☐ Petition for extension under 37 C.F.R. 1.136  
☒ Other:- **Form PTO-1449 (1 page), Appendix A, return receipt postcard.**
- ☐ Check(s) in the amount of \$ **0.00** is attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for extension under 37 C.F.R. 1.136  
☐ Other:
- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.  
☒ Any patent application processing fees under 37 C.F.R. 1.17.  
☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
 Robert J. Paradiso, Reg. No. 41,240  
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I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, Alexandria, VA 22313-1450" on August 31, 2006.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 



478.1078

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: Matthew Neil SARKAR et al.  
Serial No.: 10/571,512  
Filed: March 10, 2006, as national phase of  
International Application No.  
PCT/GB2004/003928, filed September 15, 2004  
  
For: **BREATH ACTUATED VALVE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

August 31, 2006

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with Applicant's duty of disclosure under 37 C.F.R. § 1.56 and the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants hereby make of record the references listed on the attached Form PTO-1449 (1 sheet).

Applicants also respectfully advise the Examiner of the following co-pending U.S. patent applications which are commonly assigned to the owners of the instant application:

U.S. Patent Application Serial No. 10/575,615, "Inhaler," filed April 12, 2006;  
and

U.S. Patent Application Serial No. 10/571,725, "Dry Powder Inhaler," filed March 14, 2006.

Pursuant to 37 C.F.R. § 1.98 (a)(2)(iii), the Examiner's attention is directed to Appendix A, attached hereto, which contains the following:

- 1) Specification and pending claims of U.S. Patent Application Serial No. 10/575,615; and

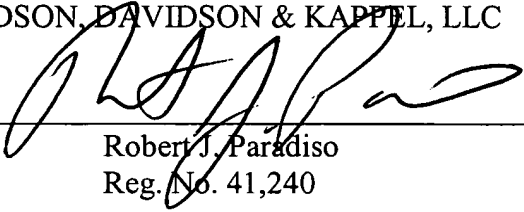
- 2) Specification and pending claims of U.S. Patent Application Serial No. 10/571,725.

It is respectfully requested that the references cited in the accompanying Form PTO-1449 (1 sheet) be considered and made of record.

The present Information Disclosure Statement is filed under 37 C.F.R. §1.97(b), before the mailing of a first Office Action on the merits. Accordingly, it is believed that no fee is due. However, if it is determined that any fee is due, the Examiner is authorized to charge said fee to Attorney Deposit Account No. 50-0552.

Respectfully submitted,  
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: \_\_\_\_\_

  
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FORM PTO-1449  
(REV. 7-80)

SEP 05 2006

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.: 478.1078

SERIAL NO.: 10/571,512

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT(S): Sarkar et al.

FILING DATE: March 10, 2006

GROUP: To be assigned

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6	9	4	8	4	9	6	09/27/05	Eason et al.	128	203.150	
	AB	20	04	02	11	4	1	9	10/28/04	Eason et al.	128	203.150	
	AC												
	AD												
	AE												
	AF												
	AG												
	AH												
	AI												
	AJ												
	AK												
	AL												

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
													YES	NO
	AM													
	AN													
	AO													
	AP													
	AQ													

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AR	
	AS	

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.